

WELLINGTON INDUSTRIAL DISTRICT JEWELLERS,
WATCHMAKERS, ETC.—APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the Watchmaking, Clockmaking, and Manufacturing Jewellery Industry in the Wellington Industrial District.

Monday, the 8th day of March, 1937.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Wellington Industrial District in connection with the Watchmaking, Clockmaking, and Manufacturing Jewellery Industry: And whereas the Court has considered the recommendations made to it by the said Committee: And whereas the Court has deemed it expedient to make an order under section 5 of the said Act prescribing the wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industry in the said district, and prescribing such other matters and things as the Court is required and authorized to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is the Wellington Industrial District.

2. The trade or industry to which this order shall apply is watchmaking, clockmaking, manufacturing jewellery, and kindred trades. The provisions of this order shall apply to all employers of apprentices in the industry in the district (whether bound by an award or industrial agreement relating to the said industry or not), and to all apprentices employed by such employers in such industry, and to all contracts of apprenticeship between such employers and apprentices.

3. Every contract of apprenticeship and every alteration or amendment thereof shall be in writing signed by the employer and the apprentice, and, if the apprentice is under the age of twenty-one years, by the parent or guardian (if any) of the apprentice, and shall be registered by the employer in the prescribed manner within fourteen days of the date thereof with the District Registrar.

4. The minimum age at which a person may commence to serve as an apprentice shall be fifteen years.

5. The term of apprenticeship shall be six years.

6. (a) The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall not be more than one to three or fraction of three.

(b) Notwithstanding the provision contained in subclause (a) hereof, an employer, after the apprentice has served three years, may, with the consent of the Apprenticeship Committee, take on a further apprentice.

7. For the purpose of determining the proportion of apprentices to journeymen when taking any new apprentices on, the calculation shall be based on a two-thirds full-time employment of the journeymen employed during the previous six calendar months. For the purposes of this order an employer who himself works substantially at the trade shall be entitled to count himself as a journeyman.

8. Every employer desiring to employ an apprentice in any branch or branches of the trade shall, before engaging the proposed apprentice, make application in writing to the Apprenticeship Committee, and the Committee shall either grant or refuse the apprentice after inquiring into facilities within the scope of the proposed employer's business for teaching the proposed apprentice the branch or branches of the trade.

9. The powers of discretion provided for in section 13 of the Apprentices Act, 1923, may be exercised by the District Registrar and the Apprenticeship Committee, notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by this order.

10. The minimum rates of wages payable to apprentices shall be—

			Per Week.	
			s.	d.
First six months	..	..	15	0
Second six months	..	..	19	0
Third six months	..	..	23	0
Fourth six months	..	..	27	0
Fifth six months	..	..	31	0
Sixth six months	..	..	35	0
Seventh six months	..	..	40	0
Eighth six months	..	..	45	0
Ninth six months	..	..	50	0
Tenth six months	..	..	55	0
Eleventh six months	..	..	60	0
Twelfth six months	..	..	65	0

11. Subject to the provisions of clause 12 hereof, the period of probation to be prescribed in any contract of apprenticeship to enable the employer of any apprentice to determine his fitness shall not exceed three months in any case.

12. A person under twenty-one years of age who has served part of his apprenticeship to the trade outside of New Zealand may complete the term of apprenticeship herein provided for with an employer in the district on furnishing to the District Registrar a certificate from his former employer and/or such other evidence (if any) as the District Registrar may require in order to show the time served by such person as an apprentice outside New Zealand. The District Registrar may refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to him. Any party aggrieved by the decision of the District Registrar may within fourteen days appeal to the Court, whose decision shall be final and conclusive. The period of probation in cases coming within the scope of this clause shall not exceed one month.

13. An apprentice shall make up all time lost by him in any year through his own default, accident, sickness, or for any cause not directly connected with the business of the employer before he shall be considered to have entered on the next succeeding year of his apprenticeship, or, if in the final year, to have completed his apprenticeship.

14. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness in excess of two weeks in any one year, accident, or through his own default.

15. Accidents not arising out of and in the course of the employment shall be deemed to be sickness, and the provisions of this order relative to payment of and deduction from wages and making up time in case of sickness shall apply accordingly.

16. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district.

17. Subject to the provisions of clause 18 hereof, an employer shall not require or permit an apprentice under sixteen years of age to work more than six hours overtime in any week.

18. The minimum rates of overtime payment for apprentices shall be as follows: Time and a half rates. No overtime shall be worked by an apprentice until he has served at least three years.

19. The conditions of the award or industrial agreement referred to in clause 16 hereof in so far as they relate to the method of payment of wages, holidays (except in regard to deductions for holidays), meal-money, and other matters (other than the provisions relating to membership of union in respect

of workers under the age of eighteen years) relating generally to the employment and not in conflict with this order shall be applicable to apprentices.

20. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and this order, and shall make provision either expressly or by reference to the said Act or this order for the several matters provided for therein, and shall not contravene the provisions of any act relating to the employment of boys or youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provision is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

21. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service without the leave of the employer or except as permitted by this order, and, further, will not commit, or permit, or be accessory to any hurt or damage to the employer or his property, nor conceal any such hurt or damage to the employer if known to him, but will do everything in his power to prevent the same.

22. It shall be an implied term in every contract of apprenticeship that the employer will during the prescribed term to the best of his power, skill, and knowledge, train and instruct the apprentice or cause him to be trained as a competent journeyman in the trade as carried on by the employer in accordance with the provisions of the Apprentices Act, 1923, and of this order, and any amendments thereof: Provided, however, that if the business carried on by the employer does not comprise all the operations usually included in the training of a journeyman in the trade as carried on by the employer the operations to be taught the apprentice shall be specifically set out in the contract of apprenticeship, and on default thereof the employer shall be deemed to have contracted to train and instruct the apprentice in all operations usually included in the training of a journeyman in the trade as carried on by the employer.

23. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or any other person.

24. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply thereto.

25. The powers conferred on the Court by paragraphs (b) to (l) inclusive of subsection (4) of section 5 of the said Act are hereby delegated by the Court to the said Committee in so far as those powers relate to the said industry in that part of the Wellington Industrial District lying within a radius of twenty miles from the Chief Post-office, Wellington, but reserving, nevertheless, power to the Court at any time and from time to time to withdraw all or any of such powers.

26. This order shall operate and take effect as from the day of the date hereof.

[L.S.]

E. PAGE, Judge.

SUGGESTED FORM OF APPRENTICESHIP CONTRACT.

THIS DEED, made the day of , 19 , between [Full name of employer], of [Address and occupation], hereinafter called "the master" of the first part, [Full name of apprentice's parent or guardian], of [Address and occupation], hereinafter called "the guardian" of the second part, and [Full name and address of apprentice], a minor born on the day of , 19 , hereinafter called "the apprentice," of the third part, witnesseth as follows:—

1. The master hereby covenants with the apprentice, and also as a separate covenant with the guardian, that he will take the apprentice as his apprentice in the trade of a (or that branch of the trade known as), and the apprentice and the guardian hereby jointly and severally covenant with the master that the apprentice will serve the master as such apprentice for the term and upon and subject to the conditions hereinafter set forth.

2. The term of the apprenticeship shall be years, commencing on the day of , 19 , and shall be served at [State place].

3. The master shall pay to the apprentice during the said term wages at the rates hereinafter specified, to wit: during the first year, per week [and so on for each period].

4. The provisions of the Apprentices Act, 1923, and the regulations made thereunder, and the general order of the Court of Arbitration, dated the day of , 19 , governing the conditions of apprenticeship in the trade, are, save as hereinafter expressly provided, deemed to be incorporated in these presents.

5. The period of probation referred to in section 12 of the said Act shall be months.

6. The apprenticeship shall be subject to the minimum conditions provided in and by the said general order, except as follows: [Here state conditions agreed to in so far as they differ from those of the general order].

7. [If the employer does not carry on a business that comprises all the operations usually included in the training of an apprentice as a journeyman in the trade, state specifically the operations to be taught the apprentice].

In witness whereof these presents have been executed by the parties hereto the day and year first before written.

[Employer's signature.]

Signed by the said in the }
presence of— }

[Witness's signature, occupation, and address.]

[Continue similarly for guardian and apprentice.]